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8 Attorney for Respondent

9 UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 SECURITIES AND EXCHANGE  
12 COMMISSION,

Applicant,

13 vs.

14 MICHAEL J. HOOPER,

Respondent.

Case No: 2:16-MC-00022-MKD

DECLARATION OF ALAN L.  
McNEIL IN SUPPORT OF  
RESPONDENT'S MOTION FOR  
AN EXTENSION OF TIME TO  
RESPOND TO THE GRANTING  
OF THE SEC'S APPLICATION

18 I, ALAN L. McNEIL, hereby declare under penalty of perjury the following:

19 1. That at all times herein mentioned, I was and am a citizen of the  
20 United States of America and a resident of the State of Washington. I am over the  
21 age of eighteen years, competent to be a witness in the above-entitled action and  
22 not a party to this action.  
23

24 DECLARATION OF ALAN L. McNEIL  
25 IN SUPPORT OF RESPONDENT'S MOTION  
FOR AN EXTENSION OF TIME ...  
Page 1 of 4

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1           2.     That I am the attorney for the Respondent, MICHAEL J. HOOPER, in  
2 this action and make this declaration based upon personal knowledge of the  
3 matters contained in the motion.  
4

5           3.     The current date for Respondent to respond to the granting of the  
6 Commission's Application per the Court's Order to Show Cause (ECF 7 at 2] is  
7 July 20, 2016.  
8

9           4.     There is a great deal of materials to absorb in the Commission's  
10 motion. In fact hundreds of pages in three notebooks that I need to read and  
11 review.  
12

13           5.     The Commission has had over a year to prepare its charges against the  
14 Respondent and the date of July 20, 2016 to respond to these voluminous  
15 documents is not sufficient in order for me to make an adequate response in  
16 opposition thereto.  
17

18           6.     I discussed a continuance with counsel for the SEC and was advised  
19 that they would not oppose a continuance of three (3) weeks but could not agree to  
20 any other arrangement.  
21

22           7.     I feel that considering I just received the file on June 20, 2016 from  
23 Respondent, the extensive volume of the Commission's case, the complexity of the  
24

1 charges, and the severity of the consequences to the Respondent, a continuance of  
2 two (2) months would not be excessive.

3  
4 8. Lastly, I can see no detriment or adverse consequences to the  
5 Commission by a short two (2) month continuance to prepare an adequate  
6 defensive response to the possible granting of the Commission's Application.

7 I declare under penalty of perjury that the foregoing is true and correct.

8  
9 Executed this 1<sup>st</sup> day of July, 2016 at Spokane, Washington.

10  
11 s/ Alan L. McNeil  
12 ALAN L. McNEIL, WSBA #7930  
13 Attorney for Defendant  
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1 **CM/ECF CERTIFICATE OF SERVICE**

2

3 I hereby certify that on the 1st day of July, 2016, I electronically filed the

4 foregoing with the Clerk of Court using the CM/ECF system, which will send

5 notification of such filing to the following:

6

7 Susan F. Lamarca  
8 Robert J. Durham  
9 *Attorneys for Applicant*

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10 Alan L. McNeil, Esq.  
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12 J. Gregory Lockwood, Esq.

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13 Michael J. Hooper  
14 *Respondent*

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15 Jana Dubes  
16 *Paralegal for Alan L. McNeil*

jdubes@camersonsutherland.com

17  
18 s/Jana Dubes

JANA DUBES